

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BARBARA MURRAY, o/b/o C.S.M.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.2:07cv654-SRW
MICHAEL ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	


MOTION FOR LEAVE TO FILE REPLY BRIEF

COMES NOW, the Plaintiff, by and through counsel, respectfully requests this Court for Leave to file a Reply Brief in the captioned proceedings.

As grounds for said Motion, counsel for Plaintiff would state that he has reviewed Defendant's Memorandum in Support of the Commissioner's Decision and avers that further comment to this Court is essential in light of the arguments advanced therein. First, the undersigned notes that the Commissioner made a misstatement of fact when he wrote that "[o]n June 24, 2005, decreased aggression was noted." Def.'s Br. 9. After further review of that progress note, it certainly appears that it denoted "[d]iscussed aggression" (Tr. 122). Next, the undersigned strongly disputes the Commissioner's characterization of Plaintiff's argument with respect to the ALJ's inadequate credibility finding as lacking merit. Def.'s Br. 10. Finally, the undersigned requests that in addition to the above-stated reasons, an opportunity to respond to the Commissioner's claim that the ALJ correctly granted "significant weight" to the medical opinions expressed by the non-examining psychologist, while at the same time granting "'controlling' weight to Dr. DeMuth's opinion as evidenced by the ALJ's finding that Plaintiff had severe

MOTION GRANTED

SCANNED

THIS 12th DAY OF February, 20 08

 UNITED STATES MAGISTRATE JUDGE